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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES

Appl. No. : 10/525,092 Confirmation No. 3275
Applicant : Toshiaki KIMURA et al.
Filed : February 23, 2005
TC/A.U. : 1796
Examiner : Alicia Toscano
Dkt. No. : OGA-013
Cust. No. : 20374

I hereby certify that this paper is being
facsimile transmitted on November 13, 2008,
to the United States Patent and Trademark
Office to facsimile number (571)273-8300.


Ronald J. Kubovcik

NOTICE OF APPEAL

11/14/2008 JVONG1 00000020 10525092

02 FC:1401

540.00 OP

Mail Stop AF
To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 13, 2008

Sir:

Applicants hereby appeal to the Board of Patent Appeals and
Interferences from the decision dated May 15, 2008, of the Primary
Examiner finally rejecting claims 1 and 5-31.

The items checked below are appropriate:

1. XX A petition for an extension of time to respond to the

P:\11-08\oga-013-pto-noa-eot wpd

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U.S. Patent Appln. S.N. 10/525,092
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final rejection is being filed on November 13, 2008, for the third month.

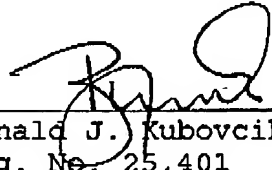
2. XX A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.

3. XX Fee \$ 540.00 or Small Entity \$270.00

XX Enclosed (as part of PTO-2038 for \$1,160.00)

 Not required (fee paid in prior appeal)

In the event this paper is not considered to be timely filed, applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 111833, along with any other additional fees which may be required with respect to this paper.



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